

Message Text

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INFO OCT-01 EUR-12 IO-10 ISO-00 L-02 FRB-01 OMB-01 TAR-01

SP-02 SWF-01 AGR-05 AID-05 CIAE-00 COME-00 INR-05

LAB-04 NSAE-00 OIC-02 RSC-01 SIL-01 STR-01 TRSE-00

CIEP-01 CEA-01 DODE-00 DOTE-00 FMC-01 CG-00 COA-01

DLOS-03 AF-04 ARA-06 EA-06 NEA-06 /091 R

DRAFTED BY EB/TT/MA:JPSTEINMETZ:EW

APPROVED BY EB/TT/MA:RKBANK

COM/BIC:EANTOUN

MARAD:RBOURDON

L/EB:TTALERICO

IO/CMD:RHINES

EB/OT/GCP:HCBLACK (INFO)

EUR/RPE:JTARRANT

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P R 162055Z DEC 74

FM SECSTATE WASHDC

TO USMISSION OECD PARIS PRIORITY

INFO USMISSION GENEVA

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E.O. 11652: N/A

TAGS: EWWT, UNCTAD, OECD

SUBJECT:OECD MTC SPECIAL GROUP ON UNCTAD SHIPPING QUESTIONS

DECEMBER 18/19, 1974

REF: A) STATE 269541 B) OECD/MTC DOC. MT/GS/A/74.2

US DOES NOT PLAN TO SEND REPRESENTATIVES FROM WASHINGTON
FOR ONE AND ONE-HALF DAY OECD CONSULTATIONS (SPECIAL GROUP
ON UNCTAD SHIPPING QUESTIONS MEETING) IN PREPARATION FOR
4TH SESSION, UNCTAD WG ON ISL, JAN. 27/FEB. 7, 1975.

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MISSION IS REQUESTED TO COVER SESSION AND REPORT THEREON.

FOLLOWING GUIDANCE KEYED TO PROVISIONAL AGENDA (REF B) IS PROVIDED TO ASSIST MISSION-DESIGNATED U.S. REPRESENTATIVE.

1. AGENDA (MT/GS/A/74.2) OKAY.

2. SUMMARY RECORD OF JUNE, 1974 SPECIAL GROUP MEETING (MT/GS/M/74.2), WHICH DEALT WITH OECD FOLLOW-UP ON UN CODE OF CONDUCT AND 6TH SESSION UNCTAD COMMITTEE ON SHIPPING, IS ACCEPTABLE.

3. PROVISIONAL AGENDA FOR UNCTAD WG/ISL (TD/B/C.4/ISL/14), ANNOTATIONS AND SUGGESTIONS FOR THE ORGANIZATION OF WORK ARE SATISFACTORY. WITH RESPECT TO ITEM 4 THEREOF

US CAN SEE NO REASON TO OPPOSE CHANGING ORDER OF PRIORITIES IN LIGHT OF RELATIONSHIP MARINE INSURANCE AND DEVELOPMENTS AT 2ND SESSION OF THE UNCTAD IPG ON INTERNATIONAL MULTIMODAL TRANSPORT. SEE II BELOW FOR DISCUSSION ON TD/B/C.4/ISL/13 (CHARTER PARTIES).

I) US DEL TO 4TH SESSION WG/ISL IS EXPECTED TO NUMBER AT LEAST TWO AND POSSIBLY THREE YET-TO-BE-NAMED INDIVIDUALS, INCLUDING ONE FROM US MISSION GENEVA.

II) CHARTER PARTIES (TD/B/C.4/ISL/13), (SUB-ITEMS A)-D)). US REP SHOULD REFRAIN FROM SPECIFIC COMMENTS RE MAJOR ISSUES AS WELL AS ASSESSMENT AND CONCLUSIONS OF DOC. DOCUMENT IS CURRENTLY BEING REVIEWED BY INTERESTED GOVERNMENT AND INDUSTRY PARTIES. PRELIMINARY REACTION IS THAT DOC IS COMPREHENSIVE AND COMPETENT SURVEY, BUT THAT CONCLUSIONS NOT BASED ON FULL APPRECIATION OF FACTORS DISCUSSED. MOREOVER, UNDERLYING THRUST OF DOCUMENT IMPLIES EVENTUAL INTERNATIONAL REGULATION OF BULK AND TANKER TRADES. WE ARE NOT AT ALL CONVINCED THIS IS NECESSARY OR EVEN DESIRABLE CONSIDERING NATURE, NEEDS AND COMPLEXITIES OF THE CHARTER MARKET AND THE ROLE OF NEGOTIATION AND COMMERCIAL JUDGMENT THEREIN. THERE MAY, HOWEVER, BE AREAS WHERE INTERNATIONAL AGREEMENT MIGHT BE DESIRABLE, I.E. LIABILITY QUESTIONS. OUR LIMITED OFFICIAL USE

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INITIAL REACTION IS ALSO TO OPPOSE THE ESTABLISHMENT OF ANY AD HOC EXPERT GROUP TO REVISE STANDARD CHARTER PARTY FORMS, REPORTING TO UNCTAD, OR HAVING UNCITRAL PROCEED ON A CONVENTION FOR THE MANDATORY REGULATION OF CERTAIN ASPECTS OF CHARTER PARTIES IN TANDEM WITH THE SUGGESTED UNCTAD EXPERTS GROUP. WITH RESPECT TO THE LINE GROUP B MIGHT TAKE VIS-A-VIS THE WG, OUR TENTATIVE VIEW IS TO APPROACH DISCUSSION OF DOCUMENT IN POSITIVE,

BUT CRITICAL MANNER, POINTING OUT AND EMPHASIZING UNSUBSTANTIATED ARGUMENTS AND CONCLUSIONS. MOREOVER, IN THE ABSENCE OF CONVINCING ARGUMENTATION FOR INTERNATIONAL REGULATION OF CHARTER PARTIES, GROUP B MIGHT REFRAIN FROM SUPPORTING THE PROPOSALS OF THE SECRETARIAT AND INSTEAD SUGGEST REFERRAL OF THE WHOLE QUESTION TO UNCITRAL FOR FURTHER STUDY AND CONSIDERATION.

III) ORGANIZATION

A) PER REF A, US IS NOT IN A POSITION TO PROVIDE GROUP B CHAIRMAN FOR UNCTAD WG/ISL. US REP SHOULD SUPPORT SELECTION OF CANDIDATE ON WHICH THERE IS CONSENSUS, POSSIBLY MCQUEEN OF THE UK.

B) AND C) SEE PARA. 3 ABOVE.

D) PRESENTLY CONTEMPLATED SMALL US DEL PRECLUDES OUR SUPPLYING EITHER GROUP B COORDINATOR OR FRIEND OF THE RAPPORTEUR.

E) PER PAST PRACTICE, IT IS ASSUMED INITIAL GROUP B MEETING GENEVA WILL BE SCHEDULED AT 9:30 A.M. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, MEETING DELEGATIONS, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 16 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE275063
Document Source: CORE
Document Unique ID: 00
Drafter: JPSTEINMETZ:EW
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740365-0121
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741232/aaaabasu.tel
Line Count: 138
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 74 STATE 269541, 74 OECD/MTC DOMT/GS/A/74
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 06 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 MAY 2002 by boyleja>; APPROVED <24 MAR 2003 by ElyME>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ECD MTC SPECIAL GROUP ON UNCTAD SHIPPING QUESTIONS DECEMBER 18/19, 1974
TAGS: EWWT, UNCTAD, OECD
To: OECD PARIS
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005